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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**ADDITIONAL COMMANDANT,
16TH BN APSP, VISAKHAPATNAM,
FAC OF COMMANDANT, 5TH BN., APSP, VIZIANAGARAM**

Sri T. KRISHNAMA RAJU, PC 1240 OF 'SDRF' COMPANY DECLARED AS A DESERTER w.e. FROM 31.08.17AN. - ARTICLE OF CHARGE FRAMED - O.E CONDUCTED - MINUTES SERVED - FWSD RECEIVED - FINAL ORDERS.

- Ref : 1. This office charge memo even no. Dtd.21.10.2017.
2. Acknowledgment Dtd. 25.10.17 of Sri T.Geneswara rao, F/O of charged officer.
3. Postal cover containing AOC addressed to the C.O.
4. This office order C.No. 47/OEPR/A2/2017, Dt. 30.11.17.
5. Inquiry officer minutes C.NO. 6/B5/OE-PR/2018, Dt. 05.02.18 of the Inquiry authority Sri B. Satyanarayana, R.I of 5th. Bn. APSP., Vizianagaram.
6. This office show cause memo even no. Dtd. 23.3.18.
7. Minutes acknowledgment Dtd. 24.3.2018 of the mother.
8. Minutes acknowledgement Dtd. 28.8.18 of the delinquent PC.
9. FWSD of the delinquent PC Dtd. 18.9.2018.

C.No.47OEPR/A2/2018,- Sri T. Krishnama Raju, PC 1240 of 'SDRF' Company who declared as a deserter w.e.from 31.08.17 AN vide this Office DO No. 579/2017, (Lr. No. 290/A5/2017) Dated: 25.09.2017 was framed with the article of charge as per Rule 20 of APCS (CC&A) Rules, 1991 vide this office memo 1st cited.

Sri T. Krishnama Raju, PC 1240 of 'SDRF' Company, was pass ported by the O.C 'H' Company on 31.08.2017 at 1800 hrs to go to Kakinada, East Godawari for L&O, B.B. Duties alongwith PCs 159, 281, 636. But, PC 1240 became absent from 31.08.2017 at 1800 hrs. without leave or permission for B.B.Duties in Kakinada, East Godawari Dist. He did not report for duty and completed the absent period of 21 days by 21.09.2017AN, as such he was declared as a deserter w.e.from 31.08.2017 AN vide this office DO No. 579/2017, (Lr. No. 290/A5/2017) dated: 25.09.2017. The desertion orders were served to his father on 15.10.2017 as PC 1240 did not come to home since 6 months and do any calls to them.

Officer Commanding 'SDRF' Coy. of this unit has submitted that the article of charge has been served to Sri T.Ganeswara Rao, F/O the C.O on 25.10.2017 through PC 1274 Sri N.Usha Kiran, because Sri T.Ganeswara Rao, F/O the C.O has submitted his written statement that he didn't know where about of his Un-married Son since few days. Subsequently, the article of charge against the above Charged officer has been sent to his home address but, the undelivered postal cover was returned by the postal authority.

As such, an exparte O.E was ordered by appointing Sri B. Satyanarayana, R.I.

Accordingly, the said Inquiry Authority has conducted regular O.E against the above C.O by examining 02 PWs and submitted his findings in the shape of Minutes duly holding the charges leveled against him as "PROVED" on Exparte basing on the merits of the Prosecution witnesses as the delinquent PC did not attend O.E and vide reference 4th cited. The Inquiry minutes were communicated to the delinquent PC duly offering his FWSD vide this office memo 6th Cited. But, the minutes were acknowledged by Smt T. M/O the delinquent PC duly informing that his Son's whereabouts are unknown. Further, the registered post cover containing minutes was also returned by the postal authorities stating that the addressee was left from the address without any information.

As per the Rule 42 (ii) &(iii) of APCS (CC&A) Rules 1991, if it cannot be so served or communicated to the Government servant, be published in Andhra Pradesh Gazette. Accordingly, a letter was addressed to the Commissioner of Printing and Stationary, Stores purchase Dept., A.P., Vijayawada to publish the Inquiry minutes in the A.P. Gazettee.

In the mean time the delinquent PC 1240 has reported before the kind Commandant on 28.08.2018 FN vide this office DO.NO. 593/2018 Dtd: 28.08.2018. Later, he acknowledge the receipt of the O.E minutes on the 28.08.2018 and submitted his further written statement Dtd: 18.09.2018 wherein he has submitted that he became absent for duties from 31.08.2017 to 27.08.2018 because of his wife ill-health who was suffering from stomach pain due to fibroid and the doctors advised that they couldn't do operation in the pregnancy time. On that his wife suffering from severe pain and he inform the situation to his parents but, they were not available. Due to this he couldn't report for duty and became absent for duty from 31.08.2017. Further, he met with an bike accident on 02.11.2017 causing injury to his left feet for which he underwent treatment in the Tirumala Hospital, Vizianagaram. After recoupment from physical and mental ill-health he reported for duty.

I have gone through the entire P.R File minutes of the Inquiry officer and explanation of the charged officer. He was pass ported to perform L&O B.B. duties at Kakinada on 31.08.2017 at 1800 hrs. but, he did not proceed for duties and found absent from duties on 31.08.2017 and remained absent for 361 days which is highly irregular and not tolerable in the disciplined force. Being Police constable working in the disciplined force, he is supposed to perform duties allotted to him. But did not turned up for important L&O, B.B. Duties. Further, he did not attend to the Oral Enquiry on the dates fixed by the Inquiry officer and his whereabouts also not known which shows that he did not bother about his legitimate duties. His parents given a statement that his whereabouts not known from 6 months in their village. His explanation is not convincing. If he has any genuine reason, he would have to appear before the unit officer or nearest police station for leave and he should have to attend the O.E to prove his innocence. But, he grossly failed to do so and remained absent for 361 days, the charges against him are proved. Hence, I deemed it fit to award him with the punishment of '**REMOVAL FROM SERVICE**' with immediate effect i.e., from the date of issue of this orders.

The desertion period of 361 days from 31.08.2017 AN to 28.08.2018 FN. is treated as 'NOT ON DUTY'.

Certified that the procedure laid down in APCS (CC&A) Rules 1991, is followed correctly while disposing the O.E P.R.

P. MOHAN PRASAD,
Addl. Commandant,
16th Bn. APSP, Visakhapatnam,
FAC of Commandant,
5th Bn. APSP, Vizianagaram.

To

Sri T. Krishnama Raju, PC 1240 of 'SDRF' Company. 5th Bn. APSP., Vizianagaram,
S/o T. Ganeswara Rao, Thogaram (Vill.) Amudalavalasa (Md.), Srikakulam Dist.

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